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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,665	10/22/2003	Antero Laine	30-569	6493

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EXAMINER

ALVO, MARC S

ART UNIT PAPER NUMBER

1731

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

LD

Office Action Summary	Application No. 10/689,665	Applicant(s) LAINE ET AL.	
	Examiner Steve Alvo	Art Unit 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 15 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a controlling the thickening of the pulp on the basis of power of the input torque and by maintaining a constant pressure difference, does not reasonably provide enablement for controlling the thickening of the pulp on the basis of an impulse. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. It is not seen where controlling the thickness on the basis of an impulse is disclosed. What is the relationship between the impulse and the controlling of the pulp thickness.

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term “controlling the thickening of the pulp is practiced on the basis of an impulse from a previous or later process stage” is indefinite. The term “impulse” does not have a proper antecedent basis. What type of impulse is used and where does it come from?

Applicants arguments have been considered but are not convincing as it would have been especially obvious to use feed pressure to advance the pulp through the dewaterer of REINHALL in the manner taught by IYENGAR. It would have been obvious to substitute the screw conveyor of ITENGGAR for the blades of REINHALL as the serve the same function of

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cleaning the pulp from the walls as the pulp is advanced in axial direction through the dewater.

The screw conveyor of IYENGAR would function in the same manner as the instant screw conveyor as they are the same structurally.

A combination of claims 13/10/1 or 14/10/1 would be allowable over the art of record.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103 (a) as being unpatentable over REINHALL in view of IYENGAR and GERVASI.

REINHALL teaches treating low consistency pulp (column 2, lines 42-44) to a pre-thickener (10) where liquid is removed from the pulp (30) due to the feeding pressure in the container (column 3, lines 11-15), a layer of pulp is collected on the container walls (column 2, lines 49-50) and cleaned off by blades (40) which also move the pulp downward through the dewater (10) in an axial direction, see column 2, lines 49-53. REINHALL teaches regulating the flow with valves (52) and (68) and feed pump (48) prior to valve (52) as shown in Figure 1 and also with control means (34). REINHALL also controls the dewatering by changing the rotational speed of the blades using control means (44). It would have been especially obvious to use feed pressure to advance the pulp through the dewaterer of REINHALL as such is taught by IYENGAR. If necessary it would have been obvious to substitute the screw conveyor of ITENGAR for the blades of REINHALL as they serve the same function of cleaning the pulp from the walls as the pulp is advanced in axial direction through the dewater. The screw


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conveyor of IYENGAR would function in the same manner as the instant screw conveyor as they are the same structurally. It would have been obvious that the low consistencies taught by REINHALL would be in the 3-5% range as such is taught by IYENGAR (column 1, lines 65-67). If necessary, it would have been especially obvious to control the thickness of the cake (pulp) that builds up on the walls of REINHALL as GERVASI teaches the cake thickness on the walls of a filter reduces the filtration rate through the container walls (column 2, lines 28-35). The dewater functions in the same manner as the filter of GERVASI, e.g. removes liquid through the vessel walls and a cake (pulp) remains on the walls which is removed by blades. It would have been obvious to control the thickness of the pulp on the dewater walls of REINHALL to prevent a reduction in the dewatering rate through the walls as such is taught by GERVASI.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Alvo whose telephone number is 571-272-1185. The examiner can normally be reached on 5:45 AM - 2:15 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


STEVE ALVO
PRIMARY EXAMINER
1731